

SOUTH DAKOTA School Law Notes



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Q: If a South Dakota school district overlaps county boundaries, what county is considered to be the school district's county of residence?

A: A school district which overlaps boundaries of a county is considered to be in the county where the majority of the children belonging to the district reside as determined by the fall submission of student enrollment data.



Q: What is a school district's capital outlay fund?

A: The capital outlay fund is used for the purchase or lease of land; improvements of grounds; construction of, additions to and remodeling of facilities; for purchasing textbooks and instructional software; or for the purchase or lease of equipment.



Q: Does the South Dakota Legislature have the duty to establish an educational system?

A: **Yes.** Article VIII, Section 1 of the South Dakota Constitution emphasizes the importance of a “general and uniform system of public schools” and places the duty to establish the system on the Legislature:

The stability of a republican form of government depending on the morality and intelligence of the people, it shall be the duty of the Legislature to establish and maintain a general and uniform system of public schools wherein tuition shall be without charge, and equally open to all; and to adopt all suitable means to secure to the people the advantages and opportunities of education.



Q: What are the functions of the South Dakota Board of Education?

A: The South Dakota Board of Education has several functions, including:

- Promulgating administrative rules to establish standards for the classification and accreditation of the state’s schools;
- Establishing standards for preparing certified personnel;
- Establishing procedures for determining a school district’s eligibility to receive state aid to education funding;
- Adopting policies and rules necessary to establish standards and procedures for career and technical education; and
- Establishing curriculum requirements for a recommended high school program for all public and nonpublic schools within the state.



Q: How are the South Dakota Board of Education's members selected?

A: The members of the South Dakota Board of Education are appointed by the Governor with the advice and consent of the senate.



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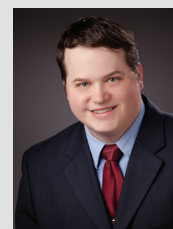
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